

REMARKS/ARGUMENTS

The Official Action dated 02 December 2004 has been carefully considered, along with cited references, applicable sections of the Patent Act, Patent Rules, the Manual of Patent Examining Procedure and relevant decisional law.

The use of the trademark VICRYL, DEXON, or CATGUT has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

In response, the trademark VICRYL, DEXON, or CATGUT has been amended to be capitalized wherever in the specification according to the Examiner's suggestions.

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lowe et al. (5,277,912) or Simpson et al. (4,416,659).

Claims 1, 5, and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Scott (4,402,308) or Harman (4,451,253) or Fujioka et al. (4,950,234).

Claims 1, 4, and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Smart (3,757,781) or Crouter et al. (3,780,735).

Claims 1 and 4-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fujioka et al. (4,900,304).

Claims 2-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smart ('781) or Crouter et al. (3,780,735) in view of Simpson et al. (4,416,659) or Lowe et al. (5,277,912).

Applicant respectfully submits that the present invention is significantly different from that of the cited arts as can be seen from their respective structures. Applicant's invention as specified in the amended claim 1 is patentably distinguishable over these references

when taken either singularly or in combination for the following reasons:

For claims 1 and 4-6, the Examiner cites Scott (4,402,308) or Harman (4,451,253) or Fujioka et al. (4,950,234) or Smart (3,757,781) or Crouter et al. (3,780,735) or Fujioka et al. (4,900,304) as examples teaching a method of inserting solid objects into human bodies by use of a syringe device with plunger.

For claims 2 and 3, the Examiner further cites Lowe et al. (5,277,912) or Simpson et al. (4,416,659) as examples teaching an extension (14) extending from the solid objects, the extension (14) bending relative to the solid objects as shown in the Figures.

Actually, in Lowe et al. (5,277,912) or Simpson et al. (4,416,659), as shown in FIG. 8 of both arts, the capsule is engaged in a tubular barrel for inserting into the rumen in cattle, and the wing arms of the capsule are folded against the sides of the barrel.

However, the capsule includes a large volume that may be provided for inserting into the rumen in cattle only, but may not be engaged through skins of animals or human bodies. In addition, after the capsule is inserted into the rumen of cattle, and the wing arms of the capsule are required to be folded or extended outwardly from the capsule for retaining the capsule in the rumen. The wing arms are tangent to the capsule.

By contrast, in Applicant's invention, as amended in the amended claim 1, the solid object (30) is engaged in the syringe (10) and includes an extension (32) extended and bent from the solid object (30) and bent and located outside the syringe (10), for allowing the solid object (30) and the extension (32) to be injected into the skin of users, and thus for allowing the solid objects (30) to

be injected or inserted into the portions or areas or lines where the acupuncture points are located.

The cited arts fail to teach an object (30) engageable in the syringe (10) and having an extension (32) extended and bent from the solid object (30) and bent and located outside the syringe (10), for allowing the solid object (30) and the extension (32) to be injected into the skin of users, and to be injected or inserted into the portions or areas or lines where the acupuncture points are located. The applicant's invention is different from that of the cited arts and has improved over the cited arts.

In view of the foregoing amendments and remarks, applicant respectfully submits that the present invention is patentably distinguishable over the cited arts and that the application is now in condition for allowance, and such action is earnestly solicited.

Courtesy and cooperation of Examiner THOMPSON are appreciated.

respectfully submitted,

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